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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No. Applicant(s) 10/530.081 BALLE ET AL. Office Action Summary Examiner Art Unit MARCOS L. TORRES 2617 -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 31 July 2007. 2a) ☐ This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 38-44.46-75 and 77-85 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) _____ is/are allowed. 6) Claim(s) 38-44,46-75,77-85 is/are rejected. 7) Claim(s) _____ is/are objected to. 8) Claim(s) _____ are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are; a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abevance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.

PTOL-326 (Rev. 08-06)

1) Notice of References Cited (PTO-892)

Notice of Draftsperson's Patent Drawing Review (PTO-948)

Information Disclosure Statement(s) (PTO/S5/08)
 Paper No(s)/Mail Date ______.

Attachment(s)

Interview Summary (PTO-413)
 Paper No(s)/Mail Date.

6) Other:

Notice of Informal Patent Application

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3-4-08 has been entered.

Response to Arguments

- Applicant's arguments with respect to claims 38 and 50 have been considered but they are not persuasive.
- 3. Regarding applicant's argument that Ali does not show the four orientations; it is noted that the independent claims 38 and 50 do not recite limitation; also the previous claim record did acknowledge this since Larson reference was used for this limitation.
- 4. The statement regarding the examiner acknowledgement is inaccurate. The examiner acknowledged that Ali did not interchange the first and second content, however the processor, for controlling the display, configured to vary the first orientation of the information content to a second orientation is disclosed Ali (please see previous rejection mailed on 12-04-07),
- As to applicant's argument that the examiner is implying that Ali provides a suggestion to interchange the soft key when the orientation of the set of information

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icons is changed; a guick look to fig. 8b and 8c it is clear that when the orientation of the display is changed the icons are also changed so they can be properly viewed from the new orientation and the positions are maintained. Applicant traverses this position and states that Ali teaches away. However when Ali is combined with the teachings of Larson it permit to rotate the device in the other two positions (see fig. 6-9). But when the device is inverted as shown in fig. 6 and 7 of Larson, now the left and right are inverted and the numeric control content [224] is also inverted, because is obvious that it is easier to the user to maintain the relationship of control content. For example if the user is accustom to press on the left of the device the control content numeral 1, if it is inverted by 180 degrees as shown in fig. 6 now is going to be on to the right if the control content is not inverted, which it is obvious that it would be troublesome to the user. Therefore a combination of Ali and Larson it would also invert the first and second control content in the same way as the numerical control 224 for the simple purpose of easier operation to the user. The examiner hopes that this explanation helps the applicant to understand the examiner position.

- 6. Applicant's amendment filed 7-31-07, with respect to claims 66, 69-70 and 74 has been fully considered and is persuasive. The 112 rejections of claims 66, 69-70 and 74 have been withdrawn.
- 7. As to applicant argument regarding claims 77-78, that Asai teaches away from the invention because it teaches that the size of the characters on a display should be reduced, and the size of the display area which is used for displaying the character should remain the same; it is noted according the specification of the present

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application in page 8 and fig. 6a-6c that the "display area" is composed by the alpha numeric characters, thereby minimizing the "display area" is equal to minimizing the characters and Asai discloses modifying the size of the display area using a switch (see par. 0067). Thereby, the current rejection in record stands.

Claim Rejections - 35 USC § 103

- The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148
 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 - Determining the scope and contents of the prior art.
 - 2. Ascertaining the differences between the prior art and the claims at issue.
 - Resolving the level of ordinary skill in the pertinent art.
 - Considering objective evidence present in the application indicating obviousness or nonobviousness.
- 10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

 Claims 38-44, 46-52 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ali US 20030197679A1 in view of Larson WO 02/47365.

As to claim 38, Ali discloses a device (see fig. 5; par. 0053) (see fig. 8b, item 811,813,815,817; par. 0067), comprising: first and second input key associated with a display (see fig. 8a, items 870; par. 0069); a display for displaying information content with a first orientation, first control content, adjacent the first input key, indicating a function of the first input key, and second control content, adjacent the second input key, indicating a function of the second input key (see fig. 8a, 8b, item 740, 820); and a processor, for controlling the display (see par. 0060), configured to vary the first orientation of the information content to a second orientation (see fig. 8b and 8c, par. 0066-0070). All does not specifically disclose to interchange the first control content and the second control content, such that the first control is adjacent the second input key and the second control content is adjacent the first input key, because Ali only shows tilting the device to one side. However, note in the figures above that Ali desires to maintain the order of the input keys, this is most likely because is would be troublesome to the user if he have to learn a new configuration layout to each mode. In an analogous art. Larson discloses a device that the screen can be rotated to either side in landscape mode (90, 180 and 270 degrees; see fig. 6-13). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to rotate the Ali display to either side and maintain the same order of the input keys by

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inverting the sequence of the control content, thereby providing the user an easy to learn user interface regardless of the position of the device.

As to claim 39, Ali discloses a device further comprising a user input device, Wherein the processor is configured to vary the user-determined orientation of the information content, in response to input from the user input device (see fig. 8b and 8c, par. 0060-0061, 0066-0070).

As to claim 40, Ali discloses a device wherein the functionality of the user input device is controlled by the processor (see par. 0060).

As to claim 41, Ali discloses a device wherein the processor is configured to vary the user-determined orientation of the information content between two predetermined orientations (portrait or landscape, see fig. 8b, 8c; par. 0066). Larson disclose four predetermined orientations (see fig. 6-13).

As to claim 42, Ali discloses a mobile device wherein the processor is configured to vary the user determined orientation of the information content by successive increments of 90 degrees rotation about a first origin in the display (portrait or landscape, see fig. 8b, 8c; par. 0066). Larson discloses a mobile device wherein the processor is configured to vary the user determined orientation of the information content by successive increments of 90 degrees rotation about a first origin in the display (see fig. 6-13).

As to claim 43, Ali discloses a mobile device wherein the processor is configured to vary the user-determined orientation of the information content while it is displayed (see par. 0060).

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As to claim 44, Ali discloses a device wherein the first and second control content for the input key varies as the function of the first and second input key is varied by the processor (see par. 0068,0060).

As to claim 46, Ali discloses a device wherein the first and second control content have a fixed orientation with respect to the mobile device (see fig. 8b, 8c).

As to claim 47, Ali discloses a mobile device wherein the processor is configured to rotate the information content about a first origin and simultaneously rotate the first and second control content about a second different origin, by ninety degrees (see fig. 8b, 8c).

As to claim 48, Ali discloses a mobile device wherein the processor is configured to simultaneously rotate the information content and the first and second control content, in response to input from the user input device (see par. 0066).

As to claim 49, Ali discloses a device wherein the first origin and the second origin are fixed (see fig. 8b, 8c).

As to claim 50-52, they are the corresponding method claims of device claims 38-39. Therefore, claims 50-52 are rejected for the same reasons as shown above.

As to claim 75, Ali discloses a mobile device wherein the control content is positioned at the second origin (see fig. 8b, 8c).

Claims 53-56, 58-59, 61-65, 71-74, 77-78 and 84-85 are rejected under 35
 U.S.C. 103(a) as being unpatentable over Abkowitz 2001/0041973.

As to claim 53, Abkowitz discloses a device, comprising: a display having a surface area and having a variable display area, which defines the proportion of the

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surface area available for displaying a first type information content (see fig. 1, items 120, 520a); a user input device (see fig. 9, par. 0039-0040, 0048); and processor configured, in response to input from the user interface (see fig. 2, item 250), to reduce the size of the variable display area from a first area to a second smaller, area, such that the proportion of the surface area available for displaying the first type of information content is reduced; wherein information content displayed, before the reduction, in a portion of the surface area of the display encompassed by the first area but not the second area, is displayed within the second area after the reduction [it is noted this is common zoom out reads on the limitations] (see fig. 1, 3; par. 0029, 0034, 0038-0040, 0043-0044,0048). Abkowitz does not specifically recite the word reduce, however this step is accomplished when the emulation device is changed from a device with bioger screen to a device with smaller screen.

As to claim 54, Abkowitz discloses a device wherein the first area and the second area are of predetermined sizes (note that user can choose one or more of the device in fig. 1 each one having its own display size; see par. 0030, 0048).

As to claim 55, Abkowitz discloses a device wherein the processor in response to input from the user input device, to reduce the size of the variable display area from the first area to the second, smaller area while displaying the information content (note that user can choose one or more of the device in fig. 1 each one having its own display size; see par. 0030, 0048).

As to claim 56, Abkowitz discloses a device comprising a transceiver, wherein the information content originates in another device and is received by the transceiver

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from the another device (see fig. 2; par. 0032). Abkowitz does not specifically disclose wherein the transceiver is a radio frequency transceiver. However, OFFICIAL NOTICE IS TAKEN THAT using radio frequency transceiver are common and well known.

Therefore, it would have been obvious to one of the ordinary skill in the art to use a radio frequency transceiver for the simple purpose of providing wireless communication thereby providing mobility to the user.

As to claim 58, Abkowitz discloses the device wherein the information content is alphanumeric text data (see fig. 4).

As to claim 59, Abkowitz discloses a device wherein the information content is alphanumeric text data (see fig. 6, item 650).

Regarding claim 61 is the corresponding method claim of device claim 53.

Therefore, claim 61 is rejected for the same reasons as shown above.

As to claim 62, Abkowitz discloses a device, comprising: a display having a surface area and having a display area of a user determined size and orientation which defines the proportion of the surface area available for displaying a first type of information content (see fig. 1, items 120, 520a; figs. 3-6); a user input device (see fig. 9, par. 0039-0040, 0048); and processor configured, in response to input from the user interface (see fig. 2, item 250), to reduce the size of the variable display area from a first area to a second smaller, area, such that the proportion of the surface area available for displaying the first type of information content is reduced; wherein information content displayed, before the reduction, in a portion of the surface area of the display encompassed by the first area but not the second area, is displayed within the second

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area after the reduction [it is noted this is common zoom out reads on the limitations] (see fig. 1, 3; par. 0029, 0034, 0038-0040, 0043-0044,0048). Abkowitz does not specifically recite the word reduce, however this step is accomplished when the emulation device is changed from a device with bigger screen to a device with smaller screen.

As to claim 63, Abkowitz discloses a device further comprising at least one input key associated with a display; wherein the display is configured to display control content, adjacent the input key, indicating its function (see par. 0042) and wherein the control content remains adjacent the input key when the display area is reduced (since the virtual device is going to emulate the respective device, if the next resized device have soft keys, it will remain adjacent to their respective button, see fig. 4; par. 0042).

As to claim 65, Abkowitz discloses a device wherein the first and second areas are predetermined sizes (see fig. 1; par. 0029, 0034, 0038-0040, 0043-0044,0048).

Regarding claims 71-74, they are corresponding method claims of device claims 62-64 and 70. Therefore, claims 71-74 are rejected for the same reasons as shown above.

As to claim 77, Abkowitz method of controlling a display of a mobile device comprising the steps of: displaying information content in a display area, the information content including characters, over a plurality of lines; and alphanumeric a processor for controlling the display, configured, in response to input from the user input device, to reduce the size of a display area allocated to displaying information content, in order to change the number of alphanumeric characters that are displayed in a line of the

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displayed information content, while displaying the whole of the information content, without increasing the number of alphanumeric characters in the displayed information content, and without reducing the number of alphanumeric characters in the displayed information content in response to input from the user input [it is noted this is common zoom out reads on the limitations] (see fig. 1, 3; par. 0029, 0034, 0038-0040, 0043-0044,0048). Abkowitz does not specifically recite the word reduce, however this step is accomplished when the emulation device is changed from a device with bigger screen to a device with smaller screen.

Regarding claim 78 is the corresponding method claim of device claim 77.

Therefore, claim 78 is rejected for the same reasons as shown above.

As to claim 84, Abkowitz discloses a device, wherein the portion of surface area encompassed by the first area but not the second area is not available for displaying the first type of information content after reduction of the size of the variable display area from the first area to the second area (see fig. 5, item 550)..

As to claim 85, Abkowitz discloses a device wherein the first type of information content is alphanumeric characters (see fig. 5, item 550).

 Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abkowitz as applied to claim 53 above, and further in view of Patwari US 20020087300A1.

As to claim 57, Abkowitz discloses everything as explained above (see claim 53) except for a mobile device wherein the information content originates in the device. In an analogous art, Patwari a mobile device wherein the information content originates in

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the device (see par 0002). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to also display content originated from the device for the simple purpose of expanding the available content.

 Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abkowitz in view of Someya US006546231B1.

As to claim 60, Abkowitz discloses everything as explained above (see claim 61) except for a device wherein the user input device is a rotable dial. In an analogous art, Someya discloses a mobile device wherein the user input device is a rotable dial (see fig. 1, item 9). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add a rotary key for quicker operation of the device.

 Claims 64 and 69-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski in view of Ali.

As to claim 64, Abkowitz discloses a device wherein the information content has a predetermined and fixed orientation with respect to the display area (see fig. 1; par. 0029, 0034, 0038-0040, 0043-0044,0048). Abkowitz does not specifically disclose that a variation in the display area produces a concomitant variation in the orientation of the information content. In an analogous art, Ali discloses that a variation in the display area produces a concomitant variation in the orientation of the information content (see fig. 8b and 8c, par. 0066-0070). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to maintain the same order of the input keys, thereby providing the user an easy to learn user interface regardless of the position of the device.

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As to claim 69, Ali discloses a device wherein the display has a plurality of edges and the control content is fixedly positioned at one edge of the display (see fig. 8b and 8c, par. 0066-0070).

As to claim 70, Ali discloses a device wherein the processor is configured to rotate the display area about a first axis and simultaneously rotate the control content about a second axis, by ninety degrees in response to a input from the user input device (see fig. 8b and 8c, par. 0066-0070).

 Claims 66-68 and 79-80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abkowitz as applied to claim 62 above, and further in view of Larson.

As to claim 66, Abkowitz does not specifically disclose a device wherein the processor in response to an input from the user input devices changes the orientation of the display area from a first one of a predetermined orientation to a second one of the plurality of orientations. In an analogous art, Larson disclose a device wherein the processor in response to an input from the user input devices changes the orientation of the display area from a first one of a predetermined orientation to a second one of the plurality of orientations (90, 180 and 270 degrees; see fig. 6-13). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to rotate the Ali display to either side and maintain the same order of the input keys by inverting the sequence of the control content, thereby providing the user an easy to learn user interface regardless of the position of the device.

As to claim 67, Larson discloses a device wherein the processor is configured to vary the user-determined orientation of the display area by successive increments of 90

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degrees rotation about a first origin in the display (90, 180 and 270 degrees; see fig. 6-13).

As to claim 68, Abkowitz discloses a device as claimed in claim wherein the processor, configured to vary the user-determined size of the display area while the information content is displayed therein (see fig. 1; par. 0029, 0034, 0038-0040, 0043-0044,0048). Larson discloses a device as claimed in claim wherein the processor, configured to vary the orientation of the display area while the information content is displayed therein (col. 8, lines 15–60).

As to claim 80, Abkowitz discloses a method of controlling the display of a mobile device comprising the steps of: displaying the information content in a display area, the information content including alphanumeric characters being displayed over a plurality of lines; changing the number of alphanumeric characters that are displayed in each of the lines, in response to input from a user without increasing the number of alphanumeric characters in the displayed information content, and without reducing the number of alphanumeric characters in the displayed information content in response to input from the user input [it is noted this is common zoom out reads on the limitations] (see fig. 1, 3; par. 0029, 0034, 0038-0040, 0043-0044,0048). Abkowitz does not specifically recite the word reduce, however this step is accomplished when the emulation device is changed from a device with bigger screen to a device with smaller screen.. Abkowitz does not specifically disclose changing the orientation of the information content to a second orientation. In an analogous art, Larson discloses changing the orientation (90, 180 and

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270 degrees; see fig. 6-13). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to permit rotate the display to facilitate viewing.

Regarding claim 79 is the corresponding device claim of method claim 80.

Therefore, claim 79 is rejected for the same reasons as shown above.

 Claim 81 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ali in view of Larson as applied to claim 53 above, and further in view of Abkowitz.

As to claim 81, Ali and Larson disclose everything as explained above except for the device wherein the processor is configured to change the size of the display area, while displaying the whole of the information content, from a first size to a second size, and when the display area is of the second size, a portion of the display is not used to display the information content. In an analogous art, Abkowitz discloses the device wherein the processor is configured to change the size of the display area, while displaying the whole of the information content, from a first size to a second size, and when the display area is of the second size, a portion of the display is not used to display the information content (see fig. 1; par. 0029, 0034, 0038-0040, 0043-0044,0048). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to change the size of the display to the respective size of the respective device, thereby permitting to emulate the display of several devices.

 Claims 82 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asai in view of Abkowitz.

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As to claim 82, Asai disclose everything as explained above except for the device wherein when the processor changes the size of the display area, the size of each alphanumeric character remains substantially the same. In an analogous art, Abkowitz discloses the device wherein when the processor changes the size of the display area, the size of each alphanumeric character remains substantially the same (see fig. 1; par. 0029, 0034, 0038-0040, 0043-0044,0048). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to change the size of the display to the respective size of the respective device, thereby permitting to emulate the display of several devices.

As to claim 83, Asai disclose the device wherein the processor is **configured** to reduce the size of the display area displaying information content, in order to reduce the number of alphanumeric characters in a line of the displayed information content, while displaying the whole of the information content, in response to input from the user input device, and after the size of the display area is reduced by the processor, at least a portion of the display is not used to display the information content (it is noted that the word configured leaves the rest of the limitations optional since the reference only have to chow that the device is capable of doing the limitations; see fig. 8 and 9; par. 0067). In an analogous art, Abkowitz discloses the device wherein the processor is **configured** to reduce the size of the display area displaying information content, in order to reduce the number of alphanumeric characters in a line of the displayed information content, while displaying the whole of the information content, in response to input from the user input device, and after the size of the display area is reduced by the processor, at least

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a portion of the display is not used to display the information content (see fig. 1; par. 0029, 0034, 0038-0040, 0043-0044,0048).

Conclusion

Any response to this Office Action should be mailed to:

U.S. Patent and Trademark Office Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Or faxed to:

571-273-8300

for formal communication intended for entry, informal communication or draft communication; in the case of informal or draft communication, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCOS L. TORRES whose telephone number is (571)272-7926. The examiner can normally be reached on 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-252-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/ Supervisory Patent Examiner, Art Unit 2617 /Marcos L Torres/ Examiner, Art Unit 2617